



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 63

(2017, chapter 3)

An Act respecting inmate identity verification through fingerprinting

Introduced 28 October 2015

Passed in principle 14 March 2017

Passed 22 March 2017

Assented to 23 March 2017

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EXPLANATORY NOTES

This Act amends the Act respecting the Québec correctional system in order to allow the correctional services of the Ministère de la Sécurité publique to verify the identity of inmates without their consent by means of a process that allows their fingerprints to be taken. The correctional services may not communicate such fingerprints to a police force unless the information is necessary to prosecute an offence under an Act applicable in Québec.

The Act includes a transitional measure to extend the application of its provisions to persons already incarcerated on the date of assent to the Act.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting the Québec correctional system (chapter S-40.1).

Bill 63

AN ACT RESPECTING INMATE IDENTITY VERIFICATION THROUGH FINGERPRINTING

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Act respecting the Québec correctional system (chapter S-40.1) is amended by inserting the following section after section 18:

“**18.0.1.** Despite the first paragraph of section 44 of the Act to establish a legal framework for information technology (chapter C-1.1), the correctional services may verify or confirm the identity of inmates without their consent by means of a process that allows inmates’ fingerprints to be taken when they enter or leave a correctional facility.”

2. Section 18.1 of the Act is amended by adding the following paragraph at the end:

“Despite the first paragraph, the correctional services may not communicate an inmate’s fingerprints, taken in accordance with section 18.0.1, to a police force unless the information is necessary to prosecute an offence under an Act applicable in Québec.”

TRANSITIONAL AND FINAL PROVISIONS

3. The correctional services of the Ministère de la Sécurité publique may, without the consent of the inmates entrusted to them before 23 March 2017, take the inmates’ fingerprints for the purposes of section 18.0.1 of the Act respecting the Québec correctional system (chapter S-40.1), enacted by section 1 of this Act.

4. This Act comes into force on 23 March 2017.